

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

ROWENA WAGNER,  
Plaintiff

v.

Case No. 04-264 Erie

CRAWFORD CENTRAL SCHOOL DISTRICT;  
CRAWFORD CENTRAL SCHOOL BOARD;  
MICHAEL E. DOLECKI, SUPERINTENDENT;  
CHARLES E. HELLER, III, ASSISTANT  
SUPERINTENDENT,  
Defendants

and

THE CRAWFORD CENTRAL EDUCATION  
ASSOCIATION,  
Defendant

Deposition of **SAMUEL BYRD**, taken before

and by Sondra A. Black, Notary Public in and for the  
Commonwealth of Pennsylvania, on Tuesday, October 25,  
2005, commencing at 1:35 p.m., at the Crawford County  
Courthouse, Meadville, Pennsylvania 16335.

Reported by Sondra A. Black  
Ferguson & Holdnack Reporting, Inc.

1 do yours now.

2 MS. WAGNER: I only have one.

3

4

CROSS-EXAMINATION

5

BY MS. WAGNER:

6

7

Q. You testified, Mr. Byrd, that you knew that there  
8 were qualified applicants who were not hired and it was a  
9 continuing problem.

10

A. Um-hum.

11

Q. Can you identify those applicants?

12

A. Sure. Tammy Foster -- can I see that list, please.

13

She's the only one on here. Eric Brown, Walt Moody, Hazel

14

Moody, Tracey Balsamo, Lee McFerren. That's all I can think

15

of off the top of my head.

16

Q. Do you know them all personally?

17

A. Yes, I do.

18

Q. Do you know their educational backgrounds?

19

A. Completely, no. But to the extent that they were

20

qualified, yes.

21

Q. You know they were qualified, but you don't know

22

their educational background; is that correct?

23

A. As related to their certification?

24

Q. I'm just asking you about their education. You said

25

you don't know their educational background.

1           A. Well, let me qualify that by saying, they all  
2 graduated, they were all certified to teach at the grade  
3 levels they were certified in, and for the subjects they were  
4 certified in. That much is what I know about their  
5 qualifications.

6           MS. WAGNER: Thank you.

7           MR. KUCHAR: I need a minute or maybe two.

8           MR. NICHOLS: We'll go off the record then for five  
9 minutes.

10          (Pause in the proceedings.)

11          MR. NICHOLS: It's now 25 after 3:00, and I've  
12 pretty much concluded questions I wanted to pose to  
13 Mr. Byrd. We're back on the record. Mr. Kuchar,  
14 Ms. Wagner, do you have questions?

15          MR. KUCHAR: I do.

16  
17                                   CROSS-EXAMINATION

18          BY MR. KUCHAR:

19  
20           Q. Mr. Byrd, as you know, I represent the Defendants,  
21 except for the Education Association, which is represented by  
22 Ms. Wagner.

23           A. Right.

24           Q. Some of my questions may sound similar to the ones  
25 that you were asked before. Bear with me if that's the case.